

1 RONALD W. BEALS, Chief Counsel  
2 JEANNE SCHERER, Assistant Chief Counsel  
3 LAUREN A. MACHADO, Deputy Attorney  
4 JEREMY C. THOMAS, SBN 231973  
5 ERIN HOLBROOK, SBN 210081 ([Erin\\_Holbrook@dot.ca.gov](mailto:Erin_Holbrook@dot.ca.gov))  
Attorneys for Department of Transportation  
1120 N Street (MS 57) P.O. Box 1438  
Sacramento, California 95812-1438  
Telephone: (916) 654-2630  
Facsimile: (916) 654-6128

6 Attorneys for Defendants State of California,  
7 California Department of Transportation

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT, SAN JOSE DIVISION**

10  
11 JOHN BERMAN, ) Case No.: 5:2011CV03698 PSG  
12 Plaintiff, ) **[PROPOSED] ORDER TO CONTINUE**  
13 v. ) **CASE MANAGEMENT CONFERENCE**  
14 KNIFE RIVER CORPORATION; STATE OF ) Magistrate Judge Paul S. Grewal  
15 CALIFORNIA, CALIFORNIA DEPARTMENT )  
16 OF TRANSPORTATION; and Does 1-30, )  
17 Defendants. )  
18  
19

20 Based on the stipulation of the parties and for good cause, THE COURT HEREBY ORDERS  
21 that the case management conference in this matter set for November 8, 2011 at 2:00 p.m. IS  
22 CONTINUED to January (month), 10 (day), 2012 (year), at 2:00p.m.,  
23 before Magistrate Judge Paul S. Grewal in Courtroom 5.

24 IT IS SO ORDERED.

25 Dated: 11/2/2011.

26  
27 By: Paul S. Grewal  
28 MAGISTRATE PAUL SINGH GREWAL  
United States District Court, Northern District  
San Jose Division

**PROOF OF SERVICE**

I, the undersigned, say: I am, and was at all times herein mentioned, a citizen of the United States and employed in the County of Sacramento, State of California, over the age of 18 years and not a party to the within action or proceeding; that my business address is 1120 N Street, Sacramento, California; that I enclosed a true copy of the attached: **[PROPOSED] ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE** in a separate envelope for each of the persons named below, addressed as set forth immediately below the respective names, as follows:

**Plaintiff, in pro per**

John Berman

johnb@drvvideo.com

- By Mail:** I caused such envelope(s) to be deposited in the mail at my business address, addressed to the addressee(s) designated. I am readily familiar with The State of California, Department of Transportation, Legal Division's practice for collection and processing of correspondence and pleadings for mailing. In the ordinary course of business at the Department of Transportation, Legal Division, mail is given the correct amount of postage and is deposited on that same day in a United States Postal Service mailbox in the City of Sacramento, California.

**By Email:** I caused such document(s) to be delivered electronically to the email address designated above.

**By Overnight Courier Service:** I caused such envelope(s) to be delivered via overnight courier service to the addressee(s) designated.

**By Facsimile:** I caused said document(s) to be transmitted to the telephone number(s) of the addressee(s) designated. A copy of the transmission report showing the transmission was complete and without error is attached hereto.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Sacramento, California, on October 21, 2011.

~~Jamie J. Green  
Declarant~~